



MEMO ENDORSED

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

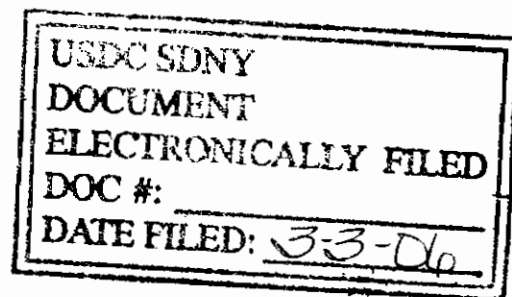
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February 28, 2006

BY FAX

Hon. Harold Baer, Jr.
United States District Judge
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007



Re: David Jones v. City of New York, et al.
06-CV-991 (HB)

Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of the above-referenced federal civil rights lawsuit on behalf of the City of New York and New York City Police Commissioner Raymond W. Kelly. I respectfully write to request a sixty-day enlargement of time for defendants to answer or otherwise respond to the complaint from February 28, 2006, to May 1, 2006. Plaintiff's counsel, Andrew B. Stoll, Esq., consents to this request.

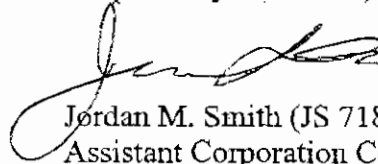
There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. In this case, plaintiff alleges, *inter alia*, that New York City police officers falsely arrested and assaulted him in his home on February 5, 2005. Plaintiff alleges he was not charged with any crime as a result of this incident, although he was taken to the New York City Police Department's 71st Precinct. However, any records of the alleged arrest may be sealed pursuant to New York Criminal Procedure Law § 160.50. Therefore, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of those sealed records so that defendant can access the information, properly assess the case, and respond to the complaint. This office is also providing plaintiff's counsel with medical authorizations to be executed by plaintiff in order that we may assess the extent of plaintiff's alleged injuries.

So ordered.
W. H. V. 3/3/06
USDC SDNY Part I

No previous request for an enlargement of time to respond to the complaint has been made. Accordingly, it is respectfully requested that defendants' time to answer or otherwise respond to the complaint be enlarged from February 28, 2006, to May 1, 2006.

Thank you for your consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jordan M. Smith", is written over the typed name and title.

Jordan M. Smith (JS 7186)
Assistant Corporation Counsel

cc: Andrew Stoll, Esq. (by fax)